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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 JERRY E. SPICER,
9 Plaintiff,
10 v.
11 JOSEPH LEHMAN, *et al.*,
12 Defendants.

Case No. C06-5132 FDB
ORDER DENYING
APPLICATION TO PROCEED *IN FORMA PAUPERIS*

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15 The Magistrate Judge recommends that this application to proceed *in forma pauperis* be denied
16 based on Plaintiff's failure to show cause. The Court, having reviewed the Report and Recommendation,
17 Plaintiff's application to proceed *in forma pauperis* and the remaining record, hereby finds and ORDERS:

- 18 (1) The Magistrate Judge's Report and Recommendation is approved and adopted;
19 (2) Plaintiff's application to proceed *in forma pauperis* is DENIED;
20 (3) Plaintiff shall pay the required filing fee (\$250.00) to the Clerk of the Court within thirty
21 (30) days of the date of this Order, otherwise this action will be dismissed; and
22 (4) The Clerk is directed to send copies of this Order to Plaintiff and any other party that has
23 appeared in this action.

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25 DATED this 17th day of July, 2006.

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FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE